

# STATE • INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
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## FILED

PETITION OF NORTHERN INDIANA PUBLIC )  
SERVICE COMPANY, INDIANA GAS COMPANY, )  
INC., CITIZENS GAS & COKE UTILITY, TERRE )  
HAUTE GAS CORPORATION, SOUTHERN )  
INDIANA GAS AND ELECTRIC COMPANY, )  
PUBLIC SERVICE COMPANY OF INDIANA, INC., )  
INDIANAPOLIS POWER & LIGHT COMPANY )  
AND INDIANA & MICHIGAN ELECTRIC )  
COMPANY TO REQUEST THE COMMISSION TO )  
AUTHORIZE AND ORDER A PROCEDURE FOR )  
PUBLIC UTILITIES IN INDIANA PERTAINING TO )  
LOANS FOR RESIDENTIAL ENERGY )  
CONSERVATION )

FEB 16 2005

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 37321

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

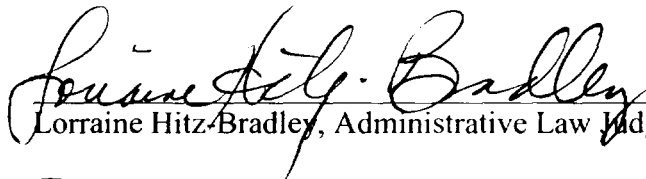
On January 28, 2005, American Electric Power ("AEP") submitted a letter in compliance with the Indiana Utility Regulatory Commission's ("Commission") requirement contained in Cause No. 37321 dated January 13, 1984 ("Order"). In the Order the Commission indicated that in order to provide ongoing review of AEP's (and co-petitioners') Utility Residential Weatherization Program ("UHWP"), reports should be filed with the Engineering Department of the Commission on or before January 31 of each year. The reports should document program related data concerning the number of loans made, average loan amounts, customer complaints and feedback, costs and benefits and all other relevant information. *Id.* at ¶9.

The Commission included this reporting requirement because at the time the Order was approved, the Commission had "little statutory authority to enforce the recommendations contained in this Order[.]" *Id.* at ¶8. Thus, the Order established that the reporting requirement was meant to stand in the stead of that then-absent statutory authority. Since that time, the legislature has enacted I.C. §8-1-8.5-2, which provides the Commission with authority to review the future requirements for electricity, in part by reference to conservation measures. The UHWP programs for which AEP has submitted its report fall under this definition.

The Commission has set out with some particularity the elements to be examined when making a determination of reasonableness of a DSM program. See, generally, *In re the Matter of the Petition of Indianapolis Power & Light Company for a Certificate of Public Convenience and Necessity for the Construction by it of Facilities for the Generation of Electricity and Submission and Request for Approval of Plan to Meet Future Needs for Electricity within Service Area and Request for Inclusion Thereof as Part of Commission's Analysis and Plan Pursuant to I.C. 8-1-8.5*, Cause No. 39236, ¶12(c) (September 2, 1992).

Accordingly, the Presiding Officer hereby finds that the combination of statutory changes and subsequent action by the Commission have eliminated the need for the filing of any additional reports in this matter. However, the determinations set forth in this Docket Entry are limited to reports referenced in this Cause and do not release Petitioners from any additional obligations they may have to file similar reports pursuant to statute, rule, or order in any other proceedings.

**IT IS SO ORDERED.**

  
Lorraine Hitz-Bradley, Administrative Law Judge

Date: February 16, 2005